UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,818	11/13/2001	Michael J. Piatt	SDP276PA	5658

7590   07/01/2005

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EXAMINER
BURLESON, MICHAEL L

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/008,818	PIATT ET AL.
	Examiner	**Art Unit**	
	Michael Burleson	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 15-20* is/are rejected.

7)☒ Claim(s) *12-14* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *6/3/03 & 9/1/04*

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statements (IDS) submitted on 09/01/2004 and

06/03/2003. Accordingly, the information disclosure statement is being considered by

the examiner.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-11 and 15-20 are rejected under 35 U.S.C. 102(b) as being anticipated

by Michel et al. US 6215562.

3.   Regarding claim 1, Michel et al. teaches of a printer (10) and that any printing

technology can be used (column 7,lines 51-55) that is used to calibrate a printer

(column 3,lines 64-66). This reads on a method for determining ink jet printer

parameters. Michel et al. teaches of a color test page screen that allows a user to print

out original and new value test pages (column 7, lines 40-50), which reads on creating a

set of test sheets of printed images, printed on a known printing system and on a known

substrate. Michel et al. teaches that the user compares the two color test pages

(column 7,lines 45-47), which reads on visually inspecting the set printed test sheets.

Michel et al. teaches that the user looks for a background gray to be applied to the color

test pages by entering values for any color between 0 and 9 (column 7,lines 15-45),

which reads on identifying at least one transformation which can be applied in

graduated increments, the at least one transformation having a corresponding

incremental visual influence on the printed images on the known substrate. Michel et al.

teaches that the user compares the two color test pages and selects from a screen if

the values are satisfactory (column 7,lines 40-50), which reads on determining

individual master transformations for each type of print in the test sheets to optimize

print quality for the known substrate on the known printing system.

4.   Regarding claim 2, Michel et al. teaches of a calibration process that prints two

target layouts (column 5,lines 20-35), which reads on creating a single test job having a

plurality of individual sheets.

5.   Regarding claim 3, Michel et al. teaches of a CMY combination to match the

background gray, which is selected by the user (column 7,lines 15-20), which reads on

individual color transformations of a spot or processed color system can be derived from

selection of the master transformations.

6.   Regarding claim 4, Michel et al. teaches of a color test page screen that allows a

user to print out original and new value test pages (column 7, lines 40-50), which reads

on creating a test pattern. Michel et al. teaches that the user looks for a background

gray to be applied to the color test pages by entering values for any color between 0

and 9 (column 7,lines 15-45), which reads on defining an image transformation having

at least one adjustment parameter which can be applied in graduated increments, the at

least one adjustment parameter having a corresponding incremental visual influence on

the image. Michel et al. teaches that when the values between 0 and 9 are entered, a

print color test screen appears (column 7,lines 30-43), which reads on applying the

image transformation to the test pattern to create test images, using a plurality of values

of the at least one adjustment parameter such that a plurality of test images are

prepared each having distinct values of the at least one adjustment parameter. Michel

et al. teaches that the user looks for a background gray to be applied to the color test

pages by entering values for any color between 0 and 9 (column 7,lines 15-45), which

reads on identifying the values of the at least one adjustment parameter used to

prepare each of the test images. Michel et al. teaches that a color test page of original

values and a color test page of new values is printed (column 7,lines 40-50), which

reads on creating a set of test sheets of the test images, printed on a known printing

system and on a known substrate. Michel et al. teaches that the user compares the two

color test pages (column 7,lines 45-47), which reads on visually inspecting the set of

printed test sheets. Michel et al. teaches that when the user selects a color test page

that is satisfactory, based on the original values and new values and then the changes

are applied (column 7,lines 40-50), which reads on identifying the test image having

preferred image quality on the known printing system and on the known substrate, using

identification means on the identified test image to define preferred transform parameter

values for the at least one adjustment parameter to define a preferred transform and

applying the preferred transform with the preferred transform parameter values of the at

least one adjustment parameter to optimize print quality for the known substrate on the known printing system.

7.   Regarding claim 5, Michel et al. teaches of printing color test pages of CMY color combinations (column 7,lines 17-45), which reads on the test pattern comprises a plurality of printing classifications.

8.   Regarding claim 6, Michel et al. teaches of printing color test pages of CMY color combinations (column 7,lines 17-45), which reads on the plurality of printing classifications comprise at least a printing classification selected from the group consisting of test printing, process color printing, bar code printing and business graphics.

9.   Regarding claim 7, Michel et al. teaches that the target layout affects the behavior of cmy inks and that their limit points and black toner drift is calculated (column 6, lines 62-67 and column 7,lines 1-15), which reads on at least one adjustment parameter affects maximum inking level in text printing.

10.   Regarding claim 8, Michel et al. teaches that the target layout affects the behavior of cmy inks and that their limit points and black toner drift is calculated (column 6, lines 62-67 and column 7,lines 1-15), which reads on at least one adjustment parameter affects maximum inking level in graphic printing.

11.   Regarding claim 9, Michel et al. teaches that the target layout affects the behavior of cmy inks and that their limit points and black toner drift is calculated (column 6, lines 62-67 and column 7,lines 1-15), which reads on at least one adjustment parameter affects maximum inking level of mid tones.

12.   Regarding claim 10, Michel et al. teaches that the user enters values of cmy inks and that their limit points and black toner drift is calculated (column 6, lines 62-67 and column 7,lines 1-15), which is necessary because an image containing shadow data between a certain percentage looses detail (column 6,lines 1-7). This reads on the step of visually inspecting for over saturation in shadow areas of graphics.

13.   Regarding claim 11, Michel et al. teaches that the user visually compares the color densities for the primary toners or inks (column 8,lines 1-15), which reads on the step of visually inspecting for excessive bleed between colors on the printed test sheets.

14.   Regarding claim 15, Michel et al. teaches of a color test page screen that allows a user to print out original and new value test pages (column 7, lines 40-50), which reads a test pattern. Michel et al. teaches that the user looks for a background gray to be applied to the color test pages by entering values for any color between 0 and 9 (column 7,lines 15-45), which reads on an image transformation having at least one adjustment parameter which can be applied in graduated increments, the at least one adjustment parameter having a corresponding incremental visual influence on the image. Michel et al. teaches that when the values between 0 and 9 are entered, a print color test screen appears (column 7,lines 30-43), which reads on means for applying the image transformation to the test pattern to create test images, using a plurality of values of the at least one adjustment parameter such that a plurality of test images are prepared each having distinct values of the at least one adjustment parameter. Michel et al. teaches that the user looks for a background gray to be applied to the color test pages by entering values for any color between 0 and 9 (column 7,lines 15-45), which

reads on means for identifying the values of the at least one adjustment parameter used to prepare each of the test images. Michel et al. teaches that a color test page of original values and a color test page of new values is printed (column 7,lines 40-50), which reads on a set of test sheets of the test images, printed on a known printing system and on a known substrate. Michel et al. teaches that the user compares the two color test pages (column 7,lines 45-47), which reads on means for visually inspecting the set of printed test sheets. Michel et al. teaches that when the user selects a color test page that is satisfactory, based on the original values and new values and then the changes are applied (column 7,lines 40-50), which reads on means for identifying the test image having preferred image quality on the known printing system and on the known substrate, means for defining preferred transform parameter values for the at least one adjustment parameter to define a preferred transform and means for applying the preferred transform with the preferred transform parameter values of the at least one adjustment parameter to optimize print quality for the known substrate on the known printing system.

15.   Regarding claim 16, Michel et al. teaches of printing color test pages of CMY color combinations (column 7,lines 17-45), which reads on the test pattern comprises a plurality of printing classifications.

16.   Regarding claim 17, Michel et al. teaches of printing color test pages of CMY color combinations (column 7,lines 17-45), which reads on the plurality of printing classifications comprise at least a printing classification selected from the group

consisting of test printing, process color printing, bar code printing and business graphics.

17.   Regarding claim 18, Michel et al. teaches that the target layout affects the behavior of cmy inks and that their limit points and black toner drift is calculated (column 6, lines 62-67 and column 7,lines 1-15), which reads on at least one adjustment parameter affects maximum inking level in graphic printing.

18.   Regarding claim 19, Michel et al. teaches that the target layout affects the behavior of cmy inks and that their limit points and black toner drift is calculated (column 6, lines 62-67 and column 7,lines 1-15), which reads on at least one adjustment parameter affects maximum inking level of mid tones.

19.   Regarding claim 20, Michel et al. techs of a calibration process that prints two target layouts (column 5,lines 20-35), which reads on creating a single test job having a plurality of individual sheets.

Allowable Subject Matter

20.   Claims 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication should be directed to Michael

Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-

7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. –

4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kimberly Williams can be reached at (571) 272-7471

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER

Michael Burleson
Patent Examiner
Art Unit 2626

Mlb
June 24, 2005